

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON, D.C. 20240

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To: All Washington Office and Field Officials

From: Assistant Director, Minerals, Realty, and Resource Protection

Subject: Free Use Permits for the Bureau of Land Management (BLM) Mineral Materials Production and Use

Program Area: Mineral Materials Management

Purpose: To ensure that BLM issues free use authorizations in a consistent manner.

Policy/Action: 43 CFR § 3604.12 provides that "Any Federal, ... agency ... may apply for a free use permit to extract and use mineral materials." The BLM is a Federal agency and should follow the same procedures and standards that are used by other free use permittees to issue a free use permit to itself, and conduct, monitor and track its operations and work by any agents it designates. Permit duration should be appropriate for the proposed use. As with any free use permit application, a decision not to issue a permit would result in not developing the materials source. Detailed guidance is provided in Bureau handbook H-3600-1. All permits and inspections should be properly documented in the case records, and the LR2000 and MIS/ABC systems. Both special projects and base programs should also be identified in the BPS to the extent feasible.

Generally, any action that requires excavation and/or maintenance of a pit or quarry for source material for construction- or project-related uses would be a reason for issuing a free use permit, as well as use of rock stockpiles (e.g., mine waste rock dumps, abandoned placer tailings) and boulders. The level of review under the National Environmental Policy Act (categorical exclusion, EA, EIS) should be appropriate to the action proposed for the pit and the overall project.

Simple earthwork involving cut and fill and re-contouring of mineral materials on public lands for mine site or stream channel reclamation do not require a permit.

Time Frame: These procedures become effective upon the date of issuance.

Budget Impact: Minimal.

Background: The BLM uses mineral materials for a wide variety of construction and maintenance projects in support of other programs and should follow consistent business practices for such activities bureauwide. Those projects may be funded by the benefiting subactivities that initiate the project, as well as cooperators. The mineral materials removal work may be conducted by a variety of parties, such as BLM operations crews, contractors, cooperating agencies, companies, or project volunteers.

Gravel and rock materials are routinely used for fill and base for construction of BLM roads, as well as for top surfacing and road maintenance. Other common materials uses by BLM include abandoned mine reclamation (e.g., cover materials for repositories), dam construction, and wildlife/fisheries habitat improvement projects (e.g., check dams, boulders).

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